

Remarks

Claims 1-31 are pending. With this Response, claim 1 is amended. Claims 1-31 remain pending in the above-cited application upon entry of the current amendment.

Applicants respectfully request reconsideration and allowance of the application in view of the present amendment and following remarks.

The claim amendment is fully supported by the application as originally filed.

Support for amended claim 1 can be found in the specification at, for example, page 3, line 17.

Claim 1 is amended to more clearly identify that the claimed invention is directed to “bread-like” dough products. Accordingly, amended claim 1 recites “[a] method for making an uncooked extruded bread-like dough product” (underlining added)

A method for making an uncooked extruded bread-like dough product is highly significant because such a process can be problematic for bread-like dough products. For example, extruding dough compositions has typically been limited to making dough products that are relatively more dense than bread-like products because such a process operates by pushing a dough composition, often under significant pressure, up to and through a die. This high pressure generally causes a dough composition to release any trapped gases present in the dough. Thus, such processes have commonly been used for relatively dense dough products such as pasta, not “bread-like” dough products.

Surprisingly, the present invention provides an approach for producing bread-like products by using an extrusion process. By using a dough composition that includes “pregelatinized starch comprising at least about 75 percent amylopectin” and extruding the dough composition, it is possible to make extruded dough products that are truly bread-like. Thus, as claimed in claim 1, the dough product has a baked specific volume of “greater than about 3.0 cc/g.”

Rejection Under 35 U.S.C. § 103(a)

Claims 1-31 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Geng et al. (U.S. Pat. No. 6,180,151) in view of Orosa et al. (U.S. Pat. No. 6,277,423) and Brumm (U.S. Pat. No. 5,886,168).

These references, alone or in combination, fail to teach or suggest the subject matter of amended claim 1 and claims 2-31 depending therefrom.

The primary reference, Geng et al., fails to teach or suggest a method that involves extruding a dough composition that includes, as claimed in claim 1, “pre-gelatinized starch,” especially “pre-gelatinized starch comprising at least about 75 percent of amylopectin.” Moreover, to the extent Geng et al. discloses extruding a dough composition having starch, Geng et al. teach away from “extruding a dough composition comprising pre-gelatinized starch,” as claimed, because Geng et al. disclose that starch should not gelatinize or begin to gelatinize during extrusion (See, the Geng et al. reference at col. 3, lines 2-4 and lines 40-43).

The secondary reference, Orosa et al., fails to cure the deficiencies of the Geng et al. reference because, for example, the Orosa et al. reference does not teach or even relate to extruding a “bread-like dough product,” as claimed. Orosa et al. generally relates to a process for preparing a fried snack dough (See, the Orosa et al. reference at the Abstract). The Orosa et al. process extrudes a fried snack dough, which is then fried to form a snack with a light, crispy, crunchy texture (See, the Orosa et al. reference at the Abstract). Such fried snack dough products and methods of extruding them are recognized as separate and distinct from bread-like dough products and methods of extruding bread-like dough products. These two separate and distinct product categories include different ingredients and different considerations when modifying such ingredients. Similarly, methods of extruding these two separate and distinct product categories include different considerations. There is no suggestion or motivation to incorporate teachings from a method for extruding a fried snack dough product into a method for extruding a “bread-like” dough product. Moreover, there is no motivation to modify the primary reference, Geng et al., by incorporating the pregelled modified starch disclosed in Orosa et al. into the Geng et al. dough that is extruded since Geng et al. teach away from “extruding a dough composition comprising pre-gelatinized starch” (discussed above).

The other secondary reference, Brumm, also fails to cure the deficiencies of the Geng et al. reference. The Brumm reference generally relates to starch hydrolysis process (See, the Brumm reference at col. 1, lines 13 and 14). Indeed, the Brumm reference is merely relied on to show the amylopectin content of waxy corn starch (See, the Office Action at the third and fourth paragraphs on page 3).

Applicants note that the Office Action also states on the bridging portions between pages 3 and 4 that:

The volume of the product can vary depending on the type of product, the amount of leavener used and the texture wanted. It would have been obvious to one skilled in the art to vary the amount of leavener depending on the type of product made to obtain a specific volume which would give the most optimum texture. This can be readily be determined through routine experimentation.

That is, the Office Action seems to conclude that making any type of dough product, including a "bread-like" dough product, via extrusion is obvious.

Applicants respectfully and strongly disagree because, as discussed above, making a "bread-like" dough product via extrusion presents significant technical hurdles not encountered when making certain other types of dough products.

Moreover, the Office Action does not provide any basis for making such a conclusion.

In view of the foregoing, Applicants respectfully request that the rejection of claims 1-31 under 35 U.S.C. § 103(a) as being unpatentable over Geng et al. in view of Orosa et al. and Brumm be withdrawn and that the application be allowed.

The Examiner is invited to contact the undersigned, at the Examiner's convenience, should the Examiner have any questions regarding this communication or the present patent application.

Respectfully Submitted,

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